

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

Ameren Transmission Company of Illinois	}	
	}	
Petition for a Certificate of Public Convenience	}	
and Necessity, pursuant to Section 8-406.1 of	}	
the Illinois Public Utilities Act, and an Order	}	
pursuant to Section 8-503 of the Public Utilities	}	Case No.: 12-0598
Act, to Construct, Operate and Maintain a New	}	
High Voltage Electric Service Line and Related	}	
Facilities in the Counties of Adams, Brown, Cass,	}	
Champaign, Christian, Clark, Coles, Edgar,	}	
Fulton, Macon, Montgomery, Morgan, Moultrie,	}	
Pike, Sangamon, Schuyler, Scott, and Shelby,	}	
Illinois.	}	

APPLICATION FOR REHEARING

NOW COMES the Morgan, Sangamon, and Scott Counties Land Preservation Group (hereinafter referred to as “MSSCLPG”), by and through its attorneys, Edward D. McNamara, Jr. and Joseph H. O’Brien of McNamara & Evans, and hereby submits its Application for Rehearing and Reconsideration of the Order entered herein on August 20, 2013 (“Order”) in the above captioned case (“12-0598”) pursuant to 220 ILCS 5/10-113 and 83 Ill.Adm.Code Part 200.880.

1. Introduction.

This case was brought pursuant to Sec. 8-406.1 of the Public Utilities Act (“Act”), 220 ILCS 5/1-101 and following, authorizing Ameren Transmission Company of Illinois (“ATXI”) to construct, operate, and maintain a new 345 kV electric transmission line running across Illinois from Missouri to Indiana. Pursuant to Sec. 8-406.1(i), ATXI also seeks an order authorizing or directing the construction of the transmission line pursuant to Sec. 8-503 of the Act. Sec. 8-406.1 of the Act became effective July 28, 2010 and was made at the urging of Ameren Corp. ATXI chose to avail itself of the expedited procedures set forth in 8-406.1, despite the massive scope of this case. The

Order herein sets forth in detail certain of the problems in presenting a case of this magnitude pursuant to an expedited procedure. As is noted on p. 8 of the Order, ATXI had at least seven years to prepare the massive Illinois Rivers Project and file it at a time of its choosing. The expedited schedule afforded landowners less than three weeks to identify alternate routes and potentially affected landowners. The landowners were certainly not litigating this matter on a level playing field. ATXI had every advantage from start to finish. When the Administrative Law Judges (ALJs) raised the possibility with ATXI of proceeding on a non-expedited basis, ATXI simply elected to proceed ahead. (Order, p. 8) In certain regions, primary and alternate route proposals were only viewed by aerial surveillance. (Order, p. 9) It should be noted that ATXI furnished aerial surveillance to Commission Staff. The shortcomings of this aerial surveillance became quite clear when Leon Corzine was cross-examined by ATXI. (Order, p. 9) Also see the testimony of Staff Witness Greg Rockrohr, the only truly disinterested witness in this case, which provided in relevant part as follows, to wit: "However, due to the length of ATXI's proposed Project, and the number of interveners submitting proposals, some information about potential routes will not be thoroughly addressed in the record. My point is simply that more time for discovery and development of alternative route proposals might have led to different proposals and conclusions that are not included in the record of evidence." (Staff Ex. 1.0R at 54-55)

MSSCLPG intervened in this case on December 21, 2012 (intervention granted December 31, 2012). MSSCLPG filed its Amended Petition to Intervene on February 20, 2013 (granted March 1, 2013). MSSCLPG is affected by that segment of the route from Meredosia to Pawnee, Illinois. A number of other intervenors were affected by and intervened with regard to this particular route segment. MSSCLPG after reviewing the case reached a decision that the ATXI proposed Primary Route would not adversely affect its interests and that the ATXI proposed Alternate Route most

definitely would adversely affect its interests. MSSCLPG governed its actions accordingly. Pursuant to Case Management Plans entered herein, Staff and intervenors were given until December 31, 2012 to identify alternative route proposals. By virtue of a revision to the Case Management Plan herein, intervenors who had not previously identified alternative route proposals were granted an extension until February 13, 2013 to identify alternative routes. MSCLTF in fact filed an identification of an alternative route on December 31, 2012, and filed a supplemental identification on January 3, 2013. As of the passing of all cutoff dates for intervenors to identify alternative route proposals, MSSCLPG continued to be satisfied with the ATXI proposed Primary Route and chose not to file an identification of alternate route. On or about March 13, 2013, MSCLTF withdrew support for its proposed alternate route and filed a joint motion along with ATXI for entry of a stipulated route, the ATXI proposed Alternate Route. At the time such joint motion for entry of a stipulation was filed, MSSCLPG was precluded by order from proposing the same alternate route previously proposed by MSCLTF. MSSCLPG would simply state that this is one of the many adverse consequences of proceeding according to expedited schedule with such a massive case. Question has arisen as to whether proper notice has been given to those landowners along the alternate route proposed by MSCLTF. If this matter is reopened, MSSCLPG intends to clarify and rectify any notice deficiencies as to such route, giving all interested parties the opportunity to clearly address this proposed route segment from Meredosia to Pawnee, Illinois.

MSSCLPG respectfully submits that the Order placed undue emphasis on the analysis of a chart submitted by ATXI which appears on p. 56 and p. 76 of the Order. This chart alleges that the parties in question recommend approval of the various indicated routing options. The referenced ATXI chart is as follows:

MEREDOSIA - PAWNEE				
Route	Stipulated/ATX I Alternate Route	ATXI Primary Route	ATXI Primary Route with Pearce Modifications	MSCLTF Route
Part(ies) Recommending Approval	ATXI, MSCLTF, FutureGen, Pearce Family	None	None	Staff, MSSCLPG, Ruholl Family

MSSCLPG would submit that further analysis is necessary in order to reach a just conclusion in this case. A chart was submitted herein by MSSCLPG which takes into account the intervenors who would be adversely affected by the various routing options. The chart appeared on p. 2 of the Exceptions filed herein by MSSCLPG on July 18, 2013 and is as follows:

MEREDOSIA - PAWNEE				
Route:	Alternate Route/Rebuttal Recommended Route	Primary Route	Primary Route w/Pearce Modification	MSCLTF Route (existing 138 kV line)
Intervenors whose interests will be adversely affected:	MSSCLPG, Ruholl Family	FutureGen, Pearce Family	FutureGen	NONE

MSSCLPS further alleges that the Robinette Family, who has filed an application for rehearing herein, would likewise be adversely affected by the Alternate Route/Rebuttal Recommended Route. The MSCLTF Route (existing 138-kV line) would not adversely affect any of the intervenors in this case, including the Robinette Family. If this matter is reopened, further evidence will be presented in support of this routing option. A brief review of the evidence to date would indicate that the MSCLTF Route was initially presented and advocated by MSCLTF. It would be very difficult for MSCLTF to argue at this time that it proposed a route which would adversely affect its own interests.

It is also quite telling that, although MSCLTF filed briefs in this case, it presented no evidence in support of the routing option to which it stipulated with ATXI. MSCLTF presented no testimony whatsoever, and was therefore not subject to cross-examination. As for FutureGen, FutureGen did appear at hearing and present testimony. In addition thereto, the following Data Request was submitted to FutureGen, and the response thereto was entered into the record as MSSCLPG Cross Exhibit 1:

“MSSCLPG-FutureGen 2.01: (This request is directed to FutureGen Witness Kenneth K. Humphreys.) Do you agree that approval of the route identified as the “second alternative” (currently utilized by the existing 138 kV line from Meredosia to Pawnee, Illinois) at Paragraph 2 of the Morgan and Sangamon County Landowners and Tenant Farmers Supplemental Identification of Alternate Route, filed herein on January 3, 2013 would resolve any concerns FutureGen has with the location of the transmission line associated with the Illinois Rivers Project in substantially the same fashion as would ATXI’s proposed Alternate Route (including the portion referred to by ATXI as “Stipulated Route – Meredosia to Pawnee” and “Meredosia to Pawnee Rebuttal Alternate Route”)?”

ANSWER:

Without waiving the objections stated above, the Alliance states as follows:

Based on consultations with relevant experts working on the FutureGen 2.0 project, on whose opinions Mr. Humphreys relies, the following represents the consensus opinion of the Alliance: Based on a preliminary analysis, the “second alternative,” i.e., a route following the existing 138 kV line from Meredosia to Pawnee, Illinois, as proposed by the Morgan and Sangamon County Landowners and Tenant Farmers in their Supplemental Identification of Alternate Route, filed on January 3, 2013, would substantially resolve the FutureGen Alliance’s concerns presented by the Primary Route proposed by ATXI in its application, i.e., that proposed route for the Illinois Rivers Project that would run along Beilschmidt Road in eastern Morgan County.”

Bottom line: Although ATXI alleges that FutureGen is recommending approval of the Alternate Route/Rebuttal Recommended Route, when all is said and done, both the Alternate Route/Rebuttal Recommended Route and the MSCLTF Route affect FutureGen in the same fashion.

As for the Pearce Family, once again, if this matter is reopened, MSSCLPG intends to present evidence that the concerns of the Pearce Family will likewise be eliminated by approval of the MSCLTF Route. It is respectfully submitted that this is evidence that can and should be presented to the Commission.

The Commission in its Order further noted with regard to the MSCLTF Route as follows: “The Commission notes that Staff, the Ruholl Family, and MSSCLPG support the MSCLTF Route.

The Commission notes that MSCLTF has withdrawn its support of the route, and ATXI argues that the list of landowners affected by the MSCLTF Route maybe incomplete. It further appears to the Commission that little evidence in support of the MSCLTF Route has been presented by any of the parties. It is difficult from the evidence presented to fairly judge whether the MSCLTF Route would be superior to the Stipulated Route, other than the length of the route. The Commission notes that Staff apparently gives great weight to this factor, and has little to say about the other criteria suggested. The Commission believes that these factors weigh against Commission approval of the MSCLTF Route.” (Order, pp. 76-77) Although MSCLTF has withdrawn its support of the MSCLTF Route, as set forth above, surely the route in question eliminates any adverse effect to MSCLTF. MSCLTF certainly presented no evidence to the contrary and under the circumstances it would certainly stand to reason that this is the case. Also as is set forth above, ATXI argues that the list of landowners affected by the MSCLTF Route *may* be incomplete. This should not be a case of maybes and suppositions. Due to the expedited nature of the proceeding, MSCLTF attempted to present a list of landowners by the cutoff date of December 31, 2012. MSCLTF attempted to supplement that list with a filing on January 3, 2013. Maybe that list is now complete. Maybe it is not. Again, this should not be a case decided by maybes. It only became apparent late in the proceeding, and well after the cutoff date for the submission of proposed alternate routes, that a question existed as to notice. Reopening of this case will provide sufficient time for appropriate notice, if needed, to be given to landowners along/upon the MSCLTF Route. Likewise, further evidence will be presented in support of the MSCLTF Route.

In reaching an Order herein, the Commission, in referring to the segment from Meredosia to Pawnee, further stated, “The Commission’s analysis of the routing criteria discussed in the positions of the parties indicates that on many issues, such as ~~environmental~~ impact, impacts on

historical resources, social and land use impacts or visual impact, there is little preference between the Stipulated Route or the MSCLTF Route.” (Order, p. 77) Referring back to the twelve criteria set forth on p. 15 of the Order, it would appear that the Commission is stating, based upon the record to date, that Item Nos. 4, 5, 6, and 11 are not actually determining factors. Item No. 1, the length of the line, clearly favors the MSCLTF Route. Item No. 2, difficulty and cost of construction, clearly favors the MSCLTF Route in that it is \$36.8 million less expensive than the ATXI Alternate Route/Rebuttal Recommended Route and far and away the least costly to construct. As to difficulty and cost of operation and maintenance, the Commission expressed concerns that ATXI is willing to concede that paralleling a route segment with an existing transmission line is acceptable in some instances, but not preferable in others, while failing to identify the factors which cause it to advocate one stance or the other. (Order, p. 77) The Commission also expresses concern “that the MSCLTF Route has not been sufficiently developed for consideration in this proceeding.” (Order, p. 77) If that is the case, then the reopening of this matter will allow MSSCLPG and other parties to sufficiently develop the MSCLTF Route for consideration. This certainly seems an appropriate course of action considering the \$36.8 million in savings for the initial construction of the MSCLTF Route. Although not identified, there exist other considerations that would seem to argue in favor of the MSCLTF Route, which follows an existing 138-kV line corridor. It is 18.3 miles shorter than the ATXI Alternate Route/Rebuttal Recommended Route. (ICC Staff Exhibit 1.0R, 37:778-779) This would certainly seem to favor those items set forth in No. 7, number of affected landowners and other stakeholders, No. 8, proximity to homes and other structures, and No. 9, proximity to existing and planned development. These are matters that can and should be developed on rehearing. As to No. 10, community acceptance, not only is the MSCLTF Route a much shorter option, but it utilizes the route carved out by an existing line. As to No. 11, **visual impact**, **this line** would parallel an

existing line. Any additional visual impact will be minimal. As to No. 12, presence of existing corridors, the MSCLTF Route would utilize an existing corridor. It is an above-the-ground power line and evidence can and should be presented favoring utilization of at least a portion of the existing corridor. If the record is incomplete as to the MSCLTF Route (existing 138-kV line), rehearing should be granted.

As stated above, Commission Staff through Staff Witness Greg Rockrohr clearly indicated the difficulty of this case proceeding on a very expedited schedule. Mr. Rockrohr was given a two-day fly-over. In the normal course of events, in a non-expedited case, Mr. Rockrohr would drive the line. Commission Staff filed testimony and briefs in support of the MSCLTF Route. Commission Staff filed briefs on exceptions herein, once again in support of the MSCLTF Route. Commission Staff is the only disinterested party in this case. Commission Staff was confronted with a massive case, which at the option of ATXI, was handled on an expedited basis. Considering all of the circumstances, the opinion of Staff herein should be given much weight. If the record is incomplete, or if the record has not been fully developed, then the matter should be reopened. An incomplete record should in no way tip the balance in favor of ATXI. This is especially true considering the relative resources of the parties and the fact that ATXI had seven years to prepare its case and the interested landowners, even with a two-month extension, had very little time to organize or review the evidence, and if appropriate present alternate routing proposals.

2. This Application for Rehearing should be granted because the record is abundant with evidence that the parties had insufficient time to adequately present their cases herein. The undersigned has been served with one other application for rehearing. The undersigned is advised that at least two other groups of intervenors plan to file applications for rehearing herein. ATXI has

advised the media that it will be filing an application for rehearing herein. The undersigned, after this Application for Rehearing is granted, will diligently present evidence as to any matters for which the record was unclear, uncertain, or incomplete, as to that segment between Meredosia and Pawnee.

3. MSSCLPG has valuable property rights which will be taken pursuant to the Order of the Commission entered herein on August 20, 2013. MSSCLPG was not afforded its due process rights herein. Procedural due process protections require that the landowners be given adequate time to prepare and present their case. Rehearing promotes procedural due process.

4. The Commission, in entering its Order herein, gave undue weight to the stipulated route between Meredosia and Pawnee. The parties entering into such stipulation, MSCLTF and FutureGen, will not be adversely affected by the route proposed by MSSCLPG, Commission Staff, and the Ruholl Family.

5. The Commission, although setting forth twelve criteria on p. 15 of the Order, failed to make clear findings of fact as to the twelve criteria.

6. As is set forth herein above, MSSCLPG has been denied the opportunity to present an alternate route proposal herein.

7. Insufficient evidence currently exists in the record to issue an order herein as to that segment from Meredosia to Pawnee. It should be noted that the Commission referenced this deficiency for that segment from Pawnee and Pana, and did not give approval to any routing option between Pawnee and Pana.

8. The Order is contrary to the provisions of Sec. 8-406.1 of the Act in that the Order as to that segment from Meredosia to Pawnee authorizes the construction of a route that is not the "least-cost means."

9. Sec. 8-406.1 of the Act fails to afford the parties herein their due process rights.

10. The Order fails to take into account the adverse effects of the route advocated by MSSCLPG

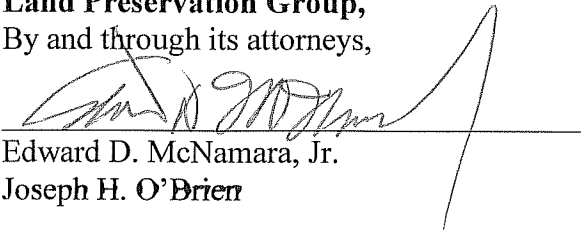
(the MSCLTF Route) upon all of the intervenors. As set forth above, the MSCLTF Route will have no adverse effect upon any intervenors.

11. In the preparation of this Application for Rehearing, the undersigned became aware of a number of landowners along the route recommended by the Order who were not notified of the proceedings herein. Attached hereto as Exhibits A and B are affidavits of two of the landowners in question. MSSCLPG would ask that the Commission take administrative notice of the public comments being filed by numerous landowners along the route recommended by the Order. MSSCLPG would ask that the Commission take administrative notice of a Petition for Leave to Intervene filed by the Edgar County Citizens are Entitled to Due Process. That petition, the affidavits attached hereto, and the voluminous public comments clearly indicate that a very large number of affected landowners were not given proper notice of these proceedings.

12. By reason of the errors described above, the Order is erroneous, contrary to and without support in the evidence, contrary to the law, and beyond the Commission's statutory authority.

WHEREFORE, MSSCLPG prays that the Commission grant rehearing herein so that a full and complete record may be developed; that all parties may have their due process rights honored; that the errors described above may be corrected and an order on rehearing may be entered which grants ATXI the authority to operate and build the proposed segment from Meredosia to Pawnee upon the route advocated by the undersigned, as well as Commission Staff and the Ruholl Family.

Respectfully Submitted,
Morgan, Sangamon, and Scott Counties
Land Preservation Group,
By and through its attorneys,



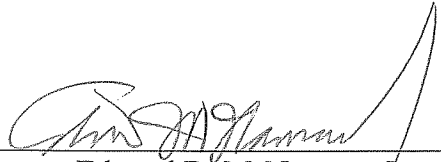
Edward D. McNamara, Jr.
Joseph H. O'Brien

VERIFICATION

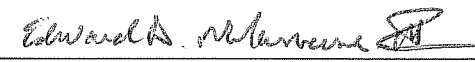
STATE OF ILLINOIS }
 }SS
COUNTY OF SANGAMON }

Edward D. McNamara, Jr., being first duly sworn, deposes and says that he is authorized to execute this Application for Rehearing; that he has read the above and foregoing document, has knowledge of the facts stated therein; and herewith states that the matters set forth therein are true in substance and in fact.

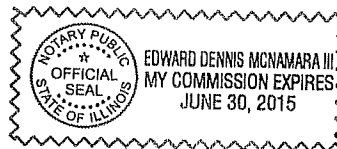
Subscribed and Sworn to before me
this 18th day of September, 2013.



Edward D. McNamara, Jr.

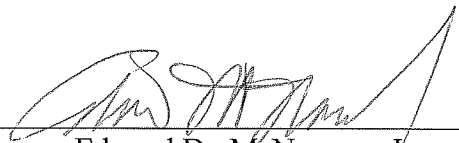


Notary Public



CERTIFICATE OF SERVICE

Edward D. McNamara, Jr., an attorney, hereby certifies that he served copies of the foregoing Application for Rehearing on the individuals shown on the attached Service List, via electronic mail, on September 18, 2013.



Edward D. McNamara, Jr.

Edward D. McNamara, Jr.
Joseph H. O'Brien
McNamara & Evans
P.O. Box 5039
931 South Fourth Street
Springfield, IL 62705-5039
(217) 528-8476
Fax: (217) 528-8480
McNamara.Evans@gmail.com

SERVICE LIST

John D. Albers	jalbers@icc.illinois.gov	Elias Mossos	emossos@mwcllc.com
Kelly Armstrong	karmstrong@icc.illinois.gov	James V. Olivero	jolivero@icc.illinois.gov
Eric Robertson	erobertson@lrklaw.com	Kyle C. Barry	kyle.barry@huschblackwell.com
Kimberly W. Bojko	bojko@carpenterlipps.com	Jon Robinson	jrobinson@brelaw.com
Colleen A. Check	check@carpenterlipps.com	Greg Rockrohr	grockroh@icc.illinois.gov
Eric E. Dearmont	edearmont@ameren.com	Johnie T. Snedeker	tedsned@digcomsrv.com
Erika Dominick	edominick@ameren.com	Timothy J. Tighe Jr.	ttighe@brelaw.com
Matthew R. Tomc	mtomc@ameren.com	Pamela D. Irwin	drppi227@yahoo.com
Christopher M. Ellis	cellis@brelaw.com	Stephen Yoder	syoder@icc.illinois.gov
Edward C. Fitzhenry	efitzhenry@ameren.com	Robert H. Alvine	sarattorneys@hotmail.com
Gerald Ambrose	gambrose@sidley.com	Brittany K. Toigo	bk@barberlaw.com
Matthew L. Harvey	mharvey@icc.illinois.gov	Alisha Anker	aanker@ppi.coop
Christopher Kennedy	kennedy@whitt-sturtevant.com	Richard C. Balough	rbalough@balough.com
G. Ronald Kesinger	kesingerlaw@frontier.com	Sean R. Brady	sbrady@windonthewires.org
Joseph L. Lakshmanan	joseph.l.lakshmanan@dynegey.com	Daniel Breden	dbreden@ppi.coop
Kathleen E. Ratcliffe	ratcliffe@whitt-sturtevant.com	Stephen P. Clevenger	sclevenger@family-net.net
Shannon K. Rust	rust@whitt-sturtevant.com	Cheryl Dancey Balough	cbalough@balough.com
Rebecca Segal	segal@whitt-sturtevant.com	Edward F. Flynn	eflynn@family-net.net
Lori Spangler	wmmcl06@gmail.com	Steve Hughart	shughart@ibew702.org
Albert D. Sturtevant	sturtevant@whitt-sturtevant.com	Erick F. Hubbard	ehubbard@family-net.net
Anne M. Zehr	zehr@whitt-sturtevant.com	Brian R. Kalb	brk@bcpklaw.com
Joel W. Kanvik	joel.kanvik@enbridge.com	Forrest G. Keaton	fkeaton@rblawyers.net
Owen E. MacBride	omacbride@schiffhardin.com	Michael J. Rooney	mike@mjrooney.com
Adam T. Margolin	adam.margolin@quarles.com	Joseph D. Murphy	jmurphy@meyercafel.com
John M. Myers	jmyers@springfieldlaw.com	Ted M. Niemann	tniemann@srmn.com
Gregory A. Pearce	wrenchandchalk2@aol.com	Deborah D. Rooney	debster259@ymail.com
Joseph E. Hooker	joseph.hooker@ci.champaign.il.us	Theresa Pearce	wrenchandchalk2@aol.com
Christopher N. Skey	christopher.skey@quarles.com	G. Darryl Reed	gdreed@sidley.com
Erin Szalkowski	eszalkowski@cleanlineenergy.com	Jeffrey L. Small	jsmall@misoenergy.com
Christopher J. Townsend	christopher.townsend@quarles.com	Mark Weinheimer	mweinheimer@polsinelli.com
Angela M. Weis	aweis@sidley.com	Bradley B. Wilson	brad@gwspc.com
Edward R. Gower	egower@hinshawlaw.com	Adam Guetzow	aguetzow@hinshawlaw.com
Luke A. Hagedorn	lhagedorn@polsinelli.com	Kevin N. McDermott	kevin@kevinmcdermott.com
John T. Long	johnlong@cavanagh-ohara.com	David Streicker	dstreicker@polsinelli.com
Tim Shrake	timshrake@cavanagh-ohara.com	Donna M. Allen	canuplay40@gmail.com
Richard T. Copeland Jr.	rcope51773@aol.com	James Phillips	gabookcompany@aol.com
Tori Phillips	urfun2@aol.com	Walker R. Filbert	wrf05@frontier.com
John Finn	sidneyvillageboard@gmail.com	Laura T. Grotenhuis	cyclone@joink.com
Cary Kottler	ckottler@cleanlineenergy.com	Peggy Mills	peg@turbinesinc.com
Adam Ragheb	adam.ragheb@gmail.com	Magdi Ragheb	aragheb@illinois.edu
Matthew R. Rentschler	mrentschler@ruralking.com	Justin Ramey	araynolds6@gmail.com
Beth A. Bauer	bab@heplerbroom.com	Charles A. Burton	schuylaw@frontiernet.net
Michael T. Cody	mtpcody@yahoo.com	Hanna M. Conger	conger@whitt-sturtevant.com
Michael E. Lockwood	ilrivproj@loptics.com	Brian K. Ralston	ralstonbayside@gmail.com
David G. Bockhold	bockhold@adams.net	Erbon Doak	rcfarms@consolidated.net
Laura A. Harmon	lharmon@ilfb.org	Michael Hutchinson	mikehutchinson1@gmail.com
Thomas McLaughlin	tmcl07@frontiernet.net	Virginia Megredy	prairieone@gmail.com
William F. Moran III	bmoran@stratton-law.com	Dustin L. Probst	dprobst@doveanddove.com
R. Kurt Wilkey	wilke@barberlaw.com	James R. Bates	jimb@ibew51.org
Andrew W. Bequette	andrew@beckettwebber.com	Emily Broach	emily.broach@dbr.com
Shan Clevenger	sclevenger@niemannfoods.com	Susan Gretz	sgretz@tnc.org
John H. Johnson	johnj@ibew51.org	John A. Simon	john.simon@dbr.com
Rochelle G. Skolnick	rgs@schuchatcw.com	Marilyn S. Teitelbaum	mst@schuchatcw.com
Darrell A. Woolums	woolums@samuelsmiller.com	John D. McMillan	John@mmddlaw.com

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Ameren Transmission Company of Illinois)
)
Petition for a Certificate of Public Convenience)
and Necessity, pursuant to Section 8-406.1 of)
the Illinois Public Utilities Act, and an Order)
pursuant to Section 8-503 of the Public Utilities) Case No.: 12-0598
Act, to Construct, Operate and Maintain a New)
High Voltage Electric Service Line and Related)
Facilities in the Counties of Adams, Brown, Cass,)
Champaign, Christian, Clark, Coles, Edgar,)
Fulton, Macon, Montgomery, Morgan, Moultrie,)
Pike, Sangamon, Schuyler, Scott, and Shelby,)
Illinois.

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

AFFIDAVIT OF DWIGHT VASEY

Now comes Dwight Vasey and makes the following statement under oath:

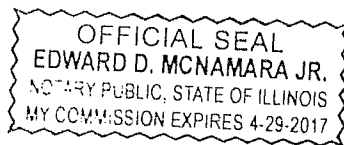
1. I make this statement based upon my personal knowledge of the facts contained therein.
2. I reside at 2105 Emerald Drive, Champaign, Illinois 61822.
3. I own certain farmland in Morgan County, Illinois. It is approximately four miles south of Jacksonville, Illinois. I recently discovered that it is along a certain route that has been approved by the Illinois Commerce Commission for Ameren Transmission Company of Illinois to place a new 345 KV electric line.
4. As of the date of this Affidavit, I have not received notice from the Illinois Commerce Commission or from Ameren Transmission Company of Illinois that my land would be subject to the placement of the above referenced line. Within the last three weeks, I learned of this line from neighbors who own farms in the vicinity of my farm. They told me of the Illinois Commerce Commission's Order authorizing Ameren Transmission Company of Illinois to place the line on my farmland and other farmland in the vicinity.

5. If I had received notice that my land would be subject to the above described power line, I would have attempted to take action to protect my interest. Since I did not receive notice, I was not able to take any action. I feel that this is unjust.


DWIGHT VASEY

Subscribed and sworn to
before me this 17th day
of September, 2013.


Notary Public



STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Ameren Transmission Company of Illinois }
 }
Petition for a Certificate of Public Convenience }
and Necessity, pursuant to Section 8-406.1 of }
the Illinois Public Utilities Act, and an Order }
pursuant to Section 8-503 of the Public Utilities } Case No.: 12-0598
Act, to Construct, Operate and Maintain a New }
High Voltage Electric Service Line and Related }
Facilities in the Counties of Adams, Brown, Cass, }
Champaign, Christian, Clark, Coles, Edgar, }
Fulton, Macon, Montgomery, Morgan, Moultrie, }
Pike, Sangamon, Schuyler, Scott, and Shelby, }
Illinois. }

STATE OF ILLINOIS }
 }SS
COUNTY OF SANGAMON }

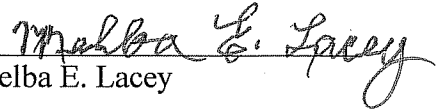
AFFIDAVIT OF MELBA E. LACEY AND WINSTON C. LACEY

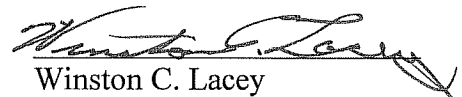
Now comes Melba E. Lacey and Winston C. Lacey and make the following statement under oath:

1. We make this statement based upon our personal knowledge of the facts contained therein.
2. We reside and live at 3160 East Fulton Avenue, Decatur, Illinois 62521.
3. We own certain land in Morgan County, Illinois, described as Parcel 02-06-100-004. It is approximately one-half mile south of the Cass County line. This property consists of approximately 82.4 acres. It has been in the family of Melba E. Lacey for well over 100 years (Melba Lacey's maiden name was Fricke).
4. On or about May 6, 2013, while Melba E. Lacey was undergoing rehabilitation in a nursing home, her husband, Winston C. Lacey, received written notice from someone at Ameren requesting the right to survey the Laceys' farm. (See Exhibit A) The Laceys had no interest in having their farm surveyed. They did not consent. Attached hereto as Exhibit B is a letter of September 6, 2013, the notice that the Laceys received that their farm was going to be subject to a power line for which Ameren had received authority from the Illinois Commerce Commission. Prior to accepting receipt for the attached letters, on May 6, 2013 and September 9, 2013, the Laceys had no prior knowledge that

any portion of their farm would be taken by Ameren or anyone else for a new power line.

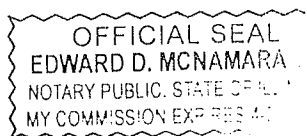
5. In 2008, the Laceys entered into a farm lease for their farm, and as a part of this lease, their tenant farmer installed center point irrigation. This irrigation irrigates up to the boundaries of the farm in question. It will be directly impacted in the event Ameren is able to obtain a 150-foot easement along any border of the Lacey farm.
6. Melba E. Lacey and Winston C. Lacey are quite concerned as to the adverse effect that any power line will have upon their farm and the future operations of their farm. Melba E. Lacey and Winston C. Lacey further state that had they known about the proposed project identified in the attached letters, they would have attempted to protect their property rights, sought legal counsel, and would have taken action necessary to attempt to protect their rights herein. In not receiving notice, they simply did not have this opportunity.

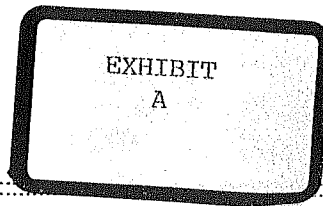

Melba E. Lacey


Winston C. Lacey

Subscribed and sworn to
before me this 16th day
of September, 2013.


Notary Public





Ameren Services

May 2, 2013

VIA: 1st class mail and certified mail

Melba Lacey
3160 East Fulton Avenue
Decatur, IL 62521

RE: Ameren Transmission Company of Illinois - Request for Survey Access

Tax ID: 02-06-100-004

Dear Landowner:

Ameren Transmission Company of Illinois has requested authorization from the Illinois Commerce Commission to construct a 345,000 volt electric transmission line from the western Illinois border near Quincy, Illinois to the eastern Illinois border southeast of Marshall, Illinois. The transmission line, as proposed, would affect property you own or in which you have an interest. The project hosted a series of Open Houses in 2012 which you may have attended.

The purpose of the transmission line is to ensure adequate and reliable electric service and promote the development of an effectively competitive electricity market. The Project is needed to ensure continued adequate and reliable operations of the transmission system in the Project area and to provide additional connectivity across the grid, reducing congestion and enabling access to a broader array of energy resources in Illinois and elsewhere. The transmission line project, known as the Illinois Rivers Project, is part of a portfolio of Multi-Value Projects (MVPs) that has been approved by the Midwest ISO, a regional transmission organization. The MVPs will facilitate the delivery of renewable energy, improve reliability, and provide economic and efficiency benefits.

The proposed transmission line would be constructed using single shaft steel poles on concrete foundations ranging from 80' to 140' in height. The distance between the poles will be from approximately 700' to 1,000' depending upon terrain and engineering requirements. All facilities to be constructed will meet all regulatory and safety requirements.

As we prepare for the project, we need access to certain properties to establish property boundaries/corners and to gather information to further define the transmission routing. These surveys are used to develop legal descriptions and drawings for the easement rights Ameren Transmission Company of Illinois would be seeking, in the event that the approved routing affects your property. We recognize that your land is special and unique to you and we look forward to discussing the project with you. The survey activities may involve personnel walking or driving ATV's or other vehicles. Although we expect no damage to your property for these surveys, Ameren Transmission Company of Illinois would reimburse you for any damages caused by our crews.

At this time Ameren Transmission Company of Illinois is only seeking the right to perform these described survey activities. At a point in the future, if the Illinois Commerce Commission approves a route that involves your property, a utility representative will contact you to arrange a mutually agreeable time to meet and discuss the proposed transmission line project in detail and to determine with you a fair and reasonable agreement for the easement rights Ameren Transmission Company of Illinois, would seek from you. The representative will provide a written project purpose statement, a small scale map and aerial photocopy of the easement area, information regarding the type and location of proposed facilities, a copy of the proposed easement agreement, and a compensation offer for the easement.

1901 Chouteau Avenue
PO Box 66149

St. Louis, MO 63166-6149

Ameren.com



Ameren Illinois Transmission Company of Illinois is not seeking an easement from you at this time.

Please find enclosed a survey consent form granting Ameren Transmission Company of Illinois the rights to perform the surveys. You can sign this form and return it to us granting us these rights. In the event that we do not receive this survey consent from you, a utility representative, on behalf of Ameren Transmission Company of Illinois, will be contacting you approximately two weeks after the date of this letter for the purpose of seeking permission to perform certain land survey work. Ameren Transmission Company of Illinois personnel would contact you in advance of the survey activity to inform you of when our crews would be on your property.

By allowing our surveyors access to your property you are in no way consenting to any placement of the transmission line on your property or agreeing to any current or future terms for any such placement.

The utility representative is not authorized to enter into any easement negotiation at this time.

If you wish to be contacted before two weeks from the date of this letter, please call Nick Anitsakis at (877) 686-6205 or e-mail at nick.anitsakis@contractlandstaff.com.

We will provide you a similar letter in the future if Ameren Transmission Company of Illinois intends to seek easement rights from you. Although we are not seeking easement rights from you now we are enclosing a Statement of information from the Illinois Commerce Commission Concerning Acquisition of Land or Land Rights-of-Way by Illinois Utilities to more fully advise you of the context of our request for surveyor access.

Regards,

Rick D. Trelz

A handwritten signature in black ink that reads "Rick D. Trelz". The signature is fluid and cursive, with a large loop at the end.

Real Estate Supervisor

cc: Project file

enc. Statement of information from the Illinois Commerce Commission
Survey Permission Form

ref: A_ILRP_MI_MO_039

Joint Committee on Administrative Rules
ADMINISTRATIVE CODE

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER b: PROVISIONS APPLICABLE TO MORE THAN ONE KIND OF
UTILITY
PART 300 GUIDELINES FOR LAND AND RIGHT-OF-WAY ACQUISITIONS
SECTION 300.APPENDIX A STATEMENT OF INFORMATION FROM THE ILLINOIS
COMMERCE COMMISSION CONCERNING ACQUISITION OF LAND OR LAND
RIGHTS-OF-WAY BY ILLINOIS UTILITIES AND COMMON CARRIERS BY PIPELINE

Section 300.APPENDIX A Statement of Information from the Illinois Commerce
Commission Concerning Acquisition of Land or Land Rights-of-Way by Illinois Utilities and
Common Carriers by Pipeline

A representative of a public utility or a common carrier by pipeline (collectively the company) is contacting you to negotiate the purchase of property or the acquisition of land or a land right-of-way over or through property that you own, or in which you have an interest as an owner. The company proposes to construct, operate and maintain certain facilities on your land, as set forth in the accompanying letter. The company representative contacting you will further explain the proposed project.

The purpose of this Statement is to provide you with general information regarding the Illinois Commerce Commission's (Commission's) regulatory process governing a company's proposed project, including the procedures that companies must follow before they can exercise the power of eminent domain to acquire land or land rights. Eminent domain is the power of the State, or those to whom the power is delegated by the State, to take private property for public use upon payment of just compensation to the landowner as is determined by the courts. This Statement covers several questions that landowners commonly pose to Commission staff members about proceedings at the Commission that relate to a company's proposed project when a company seeks to place facilities on or near those landowners' property. This Statement, however, is not a legal opinion concerning your rights under the law, or the Commission's rules. It also is not a detailed analysis of the procedures involved. If you have any questions concerning your legal rights, you may wish to consult an attorney.

Requests for a Commission Certificate under
Section 8-406, 8-406.1, or 15-401 of the Public Utilities Act

Ordinarily, before constructing major new facilities, a public utility must obtain a certificate of public convenience and necessity from the Commission under Section 8-406 or 8-406.1 of the Public Utilities Act [220 ILCS 5/8-406 or 8-406.1]. Likewise, a common carrier by pipeline ordinarily must obtain a certificate in good standing from the Commission under Section 15-401 of the Public Utilities Act [220 ILCS 5/15-401] before constructing a pipeline or other facility. In either case, to obtain a certificate, the utility or common carrier files an application with the Commission describing the proposed project. The Commission then initiates a proceeding to

consider evidence regarding the application and notifies affected landowners of the date, time and place of the **initial hearing regarding the proposed project**. If you have concerns about such a proposal, the Commission encourages you to participate in the Commission's certificate proceeding. **Changes to a company's proposal are much less likely after the Commission has approved the proposal and issued the company a certificate.** Landowners may participate in the proceeding, either through oral or written statements, or by intervening in the proceeding regarding the proposed project, as provided in the Commission's Rules of Practice (83 Ill. Adm. Code 200). In this type of proceeding, the Commission considers such factors as the public need for the proposed project, the type of facilities to be constructed, and the feasibility of the proposed location of the facilities. If the Commission determines that a company has met the requirements for obtaining a certificate and it approves the facility's design and location, it will grant a certificate to the company authorizing construction of the facility and the route that the facility will take across or through property not owned or controlled by the company.

Requests for a Commission Order Under Section 8-503 of the Public Utilities Act

A company may also seek a Commission Order under Section 8-503 [220 ILCS 5/8-503] authorizing or directing it to construct the proposed project, either in conjunction with its request to obtain a certificate under Section 8-406 or 15-401, or separately. If a company seeks an order pursuant to Section 8-503 in a separate proceeding, the Commission will notify affected landowners of the Section 8-503 proceeding, and affected landowners may participate in this type of proceeding in the same manner as is described above for applications for certificates under Section 8-406 or 15-401. If, at the conclusion of the proceeding, the Commission grants the company's request for an order pursuant to Section 8-503, it will issue an order authorizing the proposed project or directing the company to construct the proposed project, including the specific route of the facility. If the Commission grants a company's request for a certificate under Section 8-406.1, the Section 8-406.1 order must also contain an order pursuant to Section 8-503 authorizing or directing the construction of the high voltage electric service line.

Requests for Eminent Domain Authority Pursuant to Section 8-509 of the Public Utilities Act

A company seeking a certificate under Section 8-406.1 or a Commission Order under Section 8-503 may also apply to the Commission for authorization under Section 8-509 [220 ILCS 5/8-509] to use the power of eminent domain through the courts pursuant to the Eminent Domain Act [735 ILCS 30] to acquire the land or land rights necessary for the project. The company may elect to seek Commission authorization pursuant to Section 8-509, either in conjunction with its request for a certificate under Section 8-406.1 or for a Commission Order under Section 8-503, or separately. If the Commission authorizes the use of eminent domain under Section 8-509, and if the company is unable to reach agreement with the landowners to acquire the property interests necessary to complete the proposed project, the company will file a condemnation lawsuit in the circuit court where the property is located in order to obtain the property interests that the project requires. The courts, not the Commission, make the final decision as to whether the company can acquire land or land rights by eminent domain and, if so, the compensation that the company will pay to the landowner.

Attempts by Companies to Acquire Property Rights

Before seeking a Commission Order authorizing or directing a company to construct a project, a company may choose to acquire land or land rights from landowners. A company may

seek to purchase land or acquire a right for use of the land. Alternatively, a company may seek to obtain an option to purchase land or land rights at a future date. A company representative will provide affected landowners with information regarding the price and other terms that the company intends to offer for the land or land rights. Such a company uses its own forms for this type of transaction. The Commission does not require a company seeking to acquire land or land rights to use any particular form.

The price and other terms for the land or land rights is a matter of negotiation between each landowner and a company. The Commission does not participate in the negotiation. The Commission also does not establish or approve the negotiated price and other terms for the acquisition of land or land rights. Negotiation involves discussion and bargaining in an effort to reach a mutual agreement. During the negotiations, and at any time, you may be represented by an attorney. However, you are under no obligation to retain anyone to provide legal counsel. Further, you are under no obligation to negotiate or reach an agreement with the company that is seeking to acquire land or land rights. The Commission does not require such a company to obtain by negotiation a fixed amount or percentage of land or land rights necessary for the project before it seeks Commission authorization to acquire land or land rights.

The Commission typically makes its final decision regarding a project's route in certificate proceedings. Once a company obtains a certificate, issues such as the specific route of the project are not typically reconsidered in subsequent Section 8-503 proceedings before the Commission. Once a company obtains a Commission Order pursuant to Section 8-503 for a project, issues such as the specific route of the project will not be reconsidered in subsequent Section 8-509 proceedings before the Commission and in subsequent condemnation proceedings before the courts. You should not delay in taking whatever action that you believe is, or may be, necessary to protect your property interests. If you elect to negotiate with a company, the Commission encourages you or your representative to negotiate vigorously.

If you have any questions about this Statement or Commission rules and procedures, please contact:

Director, Safety & Reliability Division
Illinois Commerce Commission
527 East Capitol Avenue
Springfield, Illinois 62701

Please address specific questions concerning your individual property to the company representative.

(Source: Amended at 37 Ill. Reg. 2864, effective March 1, 2013)

COUNTY:	Morgan County, IL	TRACT NO.:	A_ILRP_MI_MO_039
----------------	-------------------	-------------------	------------------

SURVEY CONSENT FORM

The undersigned hereby grants to Ameren Transmission Company of Illinois (ATXI), its agents, contractors, sub-contractors and their employees, permission to enter the premises of the undersigned for the purpose of conducting survey activities as may be needed to establish property boundaries and corners and to gather information to further define the transmission routing or as may be required by local, state and federal agencies for the construction of a power line, subject to the condition that compensation shall be paid for damage to property and/or crops caused by said survey activities.

Ameren Transmission Company will indemnify Owner, its heirs, successors, legal representatives, tenants and assigns from and against all claims, injuries, suits, damages, (including, but not limited to, irrigation systems, real and personal property damages) costs, losses and reasonable expenses to the extent caused by the survey activities of Ameren Transmission Company, or its contractors.

In the boxes below, please add or correct any information for address and phone numbers. ATXI would like to include any Tenants in our communications going forward, by providing this information we can include them in future correspondence about the project.

Property Description	02-06-100-004
-----------------------------	---------------

Owners Name	Melba Lacey
Spouse Name	
Address	3160 East Fulton Avenue, Decatur, Illinois 62521

Telephone No.	Mobile		Home	
----------------------	--------	--	------	--

Owner's Signature _____

Tenants Name	
---------------------	--

Address	
----------------	--

Telephone No.	Mobile		Home	
----------------------	--------	--	------	--

Restrictions	
---------------------	--

Agent Comments	
-----------------------	--

Date of Contact:		By R/W Agent:	
-------------------------	--	----------------------	--



EXHIBIT
B

Ameren Services

September 6, 2013

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Melba Lacey
3160 East Fulton Avenue
Decatur, Illinois 62521

RE: ILLINOIS RIVERS PROJECT
Tax ID No(s): 02-06-100-004

Dear Property Owner:

Ameren Transmission Company of Illinois ("ATXI") has received authorization from the Illinois Commerce Commission to construct a new 345,000 volt electric transmission line through portions of Illinois. The Commission issued a Certificate of Public Convenience and Necessity in Docket No. 12-0598 on August 20, 2013 which approves selected segments of the route for the line. The Certificate and the Order authorizing ATXI to construct selected segments of the transmission line were granted under Sections 8-406.1 and 8-503 of the Public Utilities Act. This transmission line, which is known as the Illinois Rivers Project, will affect property you own.

The Illinois Rivers Project is part of a group of Multi Value Projects that were approved by the regional electric transmission organization known as the Midcontinent Independent System Operator (MISO) of which ATXI is a member. Multi Value Projects have been identified as providing a number of material benefits to the regional and Illinois electric transmission system. Specifically, the Illinois Rivers Project will facilitate the delivery of renewable energy from wind generation in Illinois and throughout the Midwest. This project will also strengthen the transmission system and improve electric service reliability to homes and businesses in the central Illinois region. Another major benefit of the project will be relief from load congestion, making the system more efficient and thereby reducing costs.

The transmission line will be constructed using single-shaft steel poles and will be built to meet all regulatory and safety requirements. The poles will be placed on concrete foundations, and their height will range from 80 to 140 feet with the typical distance between the poles being approximately 700 feet.

ATXI seeks to negotiate the purchase of an easement or other land rights for the new transmission line across land that you own in Morgan County, Illinois. A Contract Land Staff representative, working as a contractor on ATXI's behalf, will contact you sometime after September 21, 2013 to schedule a meeting to discuss the project in detail and to negotiate a fair and reasonable agreement with you for the easement rights ATXI is seeking. If you would like to contact Contract Land Staff sooner to arrange a mutually agreeable time for an appointment, please call Amanda Sloan at (877) 686-6205 or write to them at 3200 Pleasant Run, Suite C, Springfield, IL 62711.

Enclosed is a "Statement of Information from the Illinois Commerce Commission Concerning Acquisition of Rights of Way by Illinois Utilities" and a project overview map for your information. For more information about the Illinois Rivers project, or for a list of contractors that might be contacting you regarding the easement on your property, please see the Project Website at www.ilriverstransmission.com.

We look forward to meeting with you to discuss the project in detail.

Sincerely,

Rick Trelz, Managing Supervisor, Real Estate
Ameren Transmission Company of Illinois

Enclosures: Illinois Rivers Project map
Statement of Information from the Illinois Commerce Commission
ATXI 9001

1901 Chouteau Avenue
PO Box 66149

St. Louis, MO 63166-6149

Ameren.com